APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,489	03/29/2004	Shunsaku Miyazawa	Q80759	8891

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EXAMINER
DICKER, DENNIS T

ART UNIT	PAPER NUMBER
2625	

NOTIFICATION DATE	DELIVERY MODE
11/01/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@sughrue.com
kghyndman@sughrue.com

	Application No.	Applicant(s)
Office Action Summary	10/811,489	MIYAZAWA ET AL.
	Examiner	Art Unit	
	Dennis Dicker	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 August 2007</u>.

2a)☒ This action is **FINAL**.　　　2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,4,5 and 9-16</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,4-5, 9-16</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>09 August 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☒ All　b)☐ Some *　c)☐ None of:

　　　1.☒ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Response to Arguments

1.   Applicant's arguments with respect to claims 1-16 have been considered

but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1, 4-5, 9-16 are rejected under 35 U.S.C. 102(e) as being

anticipated by Hamaguchi et al. (hereinafter "Hamaguchi 374" 7,014,374)

As pertaining to **claim 1**, Hamaguchi '374 teaches an image output

method adopted in an image output device **(i.e., Col. 2 Lines 37-39, printing**

method in a printing device), that is equipped with an output processing

module **(i.e., 50 of Figure 2, Controller)** said output processing module having

multi-stage processing units **(i.e., 51 and55-57 of Fig.2, CPU, I/F/ designated**

circuit, Motor Drive circuit and head drive circuit) with a preset processing

sequence and activating at least a last-stage processing unit among the multi-

stage processing units to set image data to output data and to implement output

of an image **(i.e., Col. 2 Lines 66-67, Print head prints outputs print data)**,

the multi-stage processing units including: a color conversion processing unit

(i.e., Col 5 Line 49, CPU) which carries out a series of processing including a

conversion process of converting RGB color system of image data into a CMY

color system **(i.e., Col 12 Lines 33-42, CPU converts data from external**

device to RGB data and then to CMYK data) and outputs resulting processed

image data toward an image buffer **(i.e., Col. 29 Lines 9-12 , RAM temporarily**

stores data executed by the CPU) adjacent to the last-stage processing unit

(i.e., Col. 33 Lines 15-22, Data stored in RAM is sent to the print unit); and

an XHTML analyzer processing unit **(i.e., Col. 4 Lines 57-59, and 63-65 ,**

Reception unit analyzes data from external device) which carries out a

series of processing including an analysis process of analyzing a description file

described in a predetermined markup language or a predetermined script

language**(i.e., Col 31 Lines 7-29 , Reception unit analyzes XML data from an**

external device) and outputs resulting processed image data toward the color

conversion processing unit **(i.e., Col. 5 Lines 15-23, Reception unit analyzes**

input data and sends data to the CPU where the print data is created based

on input data), said image output method comprising the steps of:

(a) receiving image data **(i.e., Col. 4 Lines 48-50, data is obtained from**

external device); (b) identifying type of the received image data **(i.e., Col. 51-65,**

Reception section receives data and sets conditions for print data based

on external device); and when the type of the received image data is the

description file, assigning the xhtml analyzer processing unit to process the

received image data **(i.e., Col 4 Lines 24-33, the received image data is sent**

to the reception unit to process the xml data), and when the type of the

received image data is in a CMY color system, assigning the color conversion

processing unit to process the received image data **(i.e., Col 16 Lines 44-48,**

CPU converts image data to RGB data and then to CMYK data).

As pertaining to **claim 4**, Hamaguchi '374 teaches an image output

method wherein the color conversion processing unit is actualized by an

exclusive hardware structure **(i.e., the hardware structure of the CPU**

performs color conversion).

As pertaining to claim 5, Hamaguchi '374 teaches An image output

method wherein said output processing module comprises an extension

processing unit **(i.e., Fig 2, Controller 50 comprises a CPU 51)** that makes

compressed image data in a predetermined format **(i.e., Col. 12 Lines 36-38,**

the CPU takes Image data and compresses it to 360dpi X 360dpi RGB

image data) subjected to a preset series of extension processing and outputs

resulting extended image data to the color conversion processing unit **(i.e., Col.**

12 Lines 39-39-42, RGB image data is then converted via a look up table to

CMYK pixel data), and when the type of the received image data **(i.e., Col. 4**

Lines 57-59, and 63-65, Reception unit analyzes data from external device)

identified in said step (b) shows that the received image data is compressed

image data in the predetermined format **(i.e., col. 12 Lines 36-38, Reception**

unit identifies type of external device data and when identified compressed

to 360dpi X 360dpi RGB image data), said step (c) assigns the extension

processing unit to process the received image data **(i.e., Col 16 Lines 44-48,**

After conversion to RGB data CPU converts image data to CMYK data).

As pertaining to claim 9, Hamaguchi '374 teaches an image output method

wherein said image output device is constructed to be connectable via a specific

communication interface with a broadcasting receiver device **(i.e., 2036 of Fig.**

21 and Col 34 Lines 45-63, Bluetooth Interface which constitutes a BPP

profile where the BPP profile supports formats such as post script printing,

XHTML printing and PDF) that receives broadcast data sent from a broadcast

station **(i.e., Col 34 Lines 18-37, Data is sent from camera to Bluetooth**

interface), and said step (a) receives input of the description file **(i.e., Col 32**

Line 62-65, external device sends an XML script to Printers Reception

Unit), which is created based on the broadcast data received by said

broadcasting receiver device, via the communication interface **(i.e., Col. 32**

Lines 59-65 , when information is received by Interface an XML file is

created)

As pertaining to claim 10, Hamaguchi '374 teaches an image output

method wherein said output processing module **(i.e., 50 of Figure 2, Controller)**

comprises as the last-stage processing unit **(i.e., Col. 10 Lines 36-38, Head**

Drive circuit), an image output execution unit that executes output of an image

based on the output data **(i.e., Col. 11 Lines 13-19, Head drive unit drives the**

head unit which prints the image), and when the type of the received image

data identified in said step (b) shows that the image data is the output data , said

step (c) assigns the image output execution unit to process the image data **(i.e.,**

Col. 12 lines 33-49, Head drive circuit receives CMYK print data when RGB

data is converted to CMYK where the RGB data was converted to CMYK

data based on control parameters of external device).

As pertaining to claim 11, Hamaguchi '374 teaches an image output

method wherein said image output device is constructed to be connectable via a

specific communication interface with multiple different image input devices that

input image data **(i.e., 55 of Fig.2 and Col 8 Lines 41-65, communication**

interface receives image data from an external memory, portable telephone

or a digital camera), and said step (a) receives image data from each of the

multiple different image input devices via the communication interface **(i.e., Col.**

17 Lines 22-32 , Reception section receives image data via the interface).

As pertaining to claim 12, Hamaguchi '374 teaches an image output

method wherein said step (b) acquires type data representing the type of the

received image data **(i.e., Col. 4 Lines 57-59, and 63-65, Reception unit**

analyzes data from external device), in response to reception of the image

data from one of said multiple different image input devices via the

communication interface, and identifies the type of the received image data

based on the acquired type data unit **(i.e., Col. 5 Lines 15-23, Reception unit**

analyzes input data and sends data to the CPU where the print data is

created based on input data).

As pertaining to claim 13, Hamaguchi '374 teaches an image output

method wherein said image output device is a printing device **(i.e., Col. 6 Lines**

51-52, Printing System)

As pertaining to claim 14, Hamaguchi '374 teaches an image output

method wherein the printing device is an inkjet printer **(i.e., Col. 6 Line 52 and**

Fig. 2, Printing system provided with an Inkjet Printer).

As pertaining to claim 15, Hamaguchi '374 teaches an image output

device that outputs an image, said image output device comprising: an output

processing module **(i.e., 50 of Figure 2, Controller)** that has multi-stage

processing units **(i.e., 51 and55-57 of Fig.2, CPU, I/F/ designated circuit,**

Motor Drive circuit and head drive circuit) with a preset processing sequence

and activates at least a last-stage processing unit among the multi-stage

processing units to set image data to output data in an allowable form by said

image output device and to implement output of an image **(i.e., Col. 11 Lines 13-**

19, Head drive unit drives the head unit which prints the image), wherein the

multi-stage processing units include a color conversion processing unit **(i.e., Col**

5 Line 49, CPU) which carries out a series of processing including a conversion

process of converting a RGB color system of image data into a CMY color

system **(i.e., Col 12 Lines 33-42, CPU converts data from external device to**

RGB data and then to CMYK data) and outputs resulting processed image

data toward an image buffer adjacent to the last-stage processing unit **(i.e., Col.**

29 Lines 9-12 , RAM temporarily stores data executed by the CPU); and an

XHTML analyzer processing unit **(i.e., Col. 4 Lines 57-59, and 63-65 ,**

Reception unit analyzes data from external device) which carries out a

series of processing including a analysis process of analyzing a description file

described in a predetermined markup language or a predetermined script

language (i.e., Col 31 Lines 7-29 , Reception unit analyzes XML data from an external device) and outputs resulting processed image data toward the color conversion processing unit (i.e., Col. 5 Lines 15-23, Reception unit analyzes input data and sends data to the CPU where the print data is created based on input data), said; an image data receiving module that receives image data (i.e., 55 of Fig.2 and Col 8 Lines 41-65, communication interface receives image data from an external memory, portable telephone or a digital camera); an image data type identification module that identifies a type of the received image data (i.e., Col. 4 Lines 57-59, and 63-65 , Reception unit analyzes data from external device) ; and a processing assignment module that assigns the XHTML analyzer processing unit to process the received image data when the type of the received image data is the description file , and assigns the color conversion processing unit to process the received image data when the type of the received image data is data in the CMY color system (i.e., Col. 35 Lines 5-47, CPU controls received data and stores it into RAM, in response CPU uses control information to analyze and convert received image data).

As pertaining to claim 16, Hamaguchi '374 teaches a storage medium storing therein a program, which causes a computer to function as an image output device (i.e., Col. 6 Lines 44-47, storage medium storing methods invention) ,

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure, (See Pto-892).

6.   Applicant's amendment necessitated the new ground(s) of rejection

presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**.

See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as

set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply is

filed within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the date of this
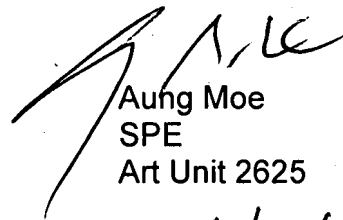
final action.

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Dennis Dicker whose telephone number is

(571) 270-3140. The examiner can normally be reached on Monday -Friday 7:30

A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Aung Moe can be reached on (571) 272-7314. The fax

phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aung Moe
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